

REMARKS

Claims 1-13, 24-37 and 39 are presented for consideration, with Claims 1, 5, 24, 29, 36, 37 and 39 being independent.

The specification and abstract have been reviewed and amended to correct minor informalities and improve their idiomatic English form. In amending the specification, the title has been changed to be more commensurate with the claimed invention and the abstract has been revised to more clearly describe the invention as required by the Examiner.

Independent Claims 1, 5, 24, 29, 36, 37 and 39, along with selected dependent claims, have been amended to more clearly recite Applicants' invention and further distinguish it from the cited art. Claims 14-23 and 38 have been cancelled without prejudice or disclaimer of the subject matter recited therein.

Applicants are submitting concurrently herewith a Request to Make Drawing Changes, wherein Figures 5 and 6 are labelled "PRIOR ART" as required by the Examiner. Approval of the proposed drawing corrections is respectfully requested.

A substitute specification is requested in paragraph 7 of the Office Action. It is submitted, however, that such a requirement is premature. 37 C.F.R. §1.125 requires a substitute specification when the number or nature of the amendments made therein render it difficult to

consider the case. The subject Amendment amends the specification for the first time. Moreover, it is submitted that the nature and number of the enclosed amendments are not such that would render it difficult to consider the case. Accordingly, reconsideration and withdrawal of the request for a substitute specification is requested.

Claims 2 and 7 were objected for the reasons set forth in paragraph 8 of the Office Action. These claims have been amended to delete the language objected to by the Examiner.

Claims 8, 10 and 12 were rejected under 35 U.S.C. §112, fourth paragraph, for allegedly failing to limit the subject matter of a previous claim. It is submitted, however, that Claims 8, 10 and 12 depend from Claim 6, and Claims 7, 9 and 11 depend from Claim 5. Accordingly, these respective sets of claims do not set forth duplicative subject matter. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, fourth paragraph, is respectfully requested.

Claims 14-23, 18 and 35 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Without conceding the propriety of this rejection, Claims 14-23 have been cancelled. In addition, Claim 35 has been amended as shown above to delete the language objected to by the Examiner. Accordingly, reconsideration and withdrawal of

the rejection of the claims under 35 U.S.C. §112, second paragraph, is respectfully requested.

Claims 1-4 and 24-28 were rejected under 35 U.S.C. §103 as allegedly being obvious over Sugiyama '326 in view of Nguyen '437, and Claims 5-13 were rejected as allegedly being obvious over Sugiyama in view of Normile '534 and Nguyen. Claims 14-23 were rejected as allegedly being obvious over Laney '134 in view of Nguyen. In addition, Claims 29-34 were rejected as allegedly being obvious over Sugiyama '326 in view of Laney and Nguyen, and Claims 35-39 were rejected as allegedly being obvious over Sugiyama, Laney, Normile and Nguyen. The rejection applied to Claims 14-23 is deemed to be moot in view of the cancellation of these claims. The rejections of the remaining claims are traversed for the following reasons.

Applicants' invention as set forth in independent Claim 1 relates to a moving image editing apparatus comprised of decoding means for decoding moving image data encoded by an encoding method that includes encoding in which intraframe correlation is considered, storing means for intraframe coding and storing the decoded moving image data, and editing means for decoding the images which were stored in the storing means and were intraframe encoded and for performing an arbitrary edition. In addition, coding means codes the edited frame image by the encoding method that includes encoding in which the intraframe correlation is considered.

In Claim 5, a moving image editing apparatus comprises intraframe detecting means for detecting an intraframe in moving image data in image data encoded by an encoding method that includes encoding in which intraframe correlation is considered, decoding means for decoding the moving image data of a predetermined number of frames including images to be edited by using the frame detected by the intraframe detecting means, and storing means for storing the moving image data decoded by the decoding means. In addition, editing means performs an arbitrary edition to the images of the frame units stored in the storing means, and coding means encodes the edited frame images.

Claim 24 is directed to an apparatus for editing moving image data stored in a storage medium and encoded by an encoding method in which intraframe correlation is considered, and comprises decoding means for decoding the moving image data which includes at least a frame to be edited and is not all of the stored moving image data, first encoding means for encoding the moving image data decoded by the decoding means by an intraframe encoding, and editing means for editing the encoded moving image data on a frame unit basis. In addition, second encoding means encodes the edited, encoded moving image data by an encoding method in which the intraframe correlation is considered, and storing means stores the moving image data encoded by the encoding means in an order of the frames stored in the storage medium.

Claim 29 is directed to a moving image editing apparatus comprised of decoding means for decoding moving image data which was decoded by an encoding method including an intraframe encoding and stored in a memory medium, display means for displaying the decoded moving image data so that an order of frame images forming the moving image can be identified, and instructing means for giving an editing instruction to the moving image data displayed on the display means. Encoding means intraframe encodes the frame images of the minimum number which are necessary to decode the moving image data instructed by the instructing means in the moving image data stored in the memory medium.

The primary citation to Sugiyama relates to a coding/decoding apparatus that, as understood by Applicants, uses a compression method for compressing image data in which the amount of the encoding is not increased. Sugiyama also discloses an editing process which uses intraframe encoding.

In contrast to Claims 1, 5 and 24, however, Sugiyama fails to teach or suggest, inter alia, decoding means for decoding moving image data encoded by an encoding method that includes the encoding in which intraframe correlation is considered. With respect to Claim 1, Sugiyama would not be able to decode the image data after the edition and the image data before the edition with the same encoder. Sugiyama is also not read to teach or suggest decoding the moving image data of a predetermined number of frames

including images to be edited by using the detected frames as set forth in Claim 5. With further respect to Claim 24, Sugiyama also fails to teach or suggest storing the moving image data encoded in an order of the frame stored in the storage medium.

The citation to Nguyen relates to a method and apparatus for mixing animation sequences and was cited for its showing of editing means for arbitrary edition. Normile was cited for its showing of an encoding/decoding method and apparatus which allegedly includes detecting an intraframe and decoding the image and a predetermined number of frames after the detected image. However, both secondary citations fail to compensate for the deficiencies in Sugiyama as discussed above with respect to independent Claims 1, 5 and 24. Accordingly, without conceding to the propriety of combining Sugiyama with Nguyen and/or Normile in the manner proposed in the Office Action, it is submitted that such combination(s) still fails to teach or suggest Applicants' claimed invention.

It is further noted that independent Claims 36, 37 and 39 correspond to Claims 1, 15 and 24, respectively, and are submitted to be patentable for the reasons discussed above.

Thus, reconsideration and withdrawal of the rejections of Claims 1-13, 24-28, 36, 37 and 39 under 35 U.S.C. §103 is respectfully requested.

With respect to independent Claim 29, Laney relates to a method and apparatus for compressing video data and was cited for its teaching of encoding animating data with both a coding method for improving animation speed and compression ratio.

It is submitted however, that even the combined teachings of Sugiyama, Laney and Nguyen still fail to teach or suggest Claim 29 of Applicants' invention. For example, Claim 29 includes recitation of display means for displaying the decoded moving image data so that an order of frame images forming the moving image data can be identified and encoding means for intraframe encoding the frame images of the minimum number which are necessary to the decode the moving image data instructed by the instructing means in the moving image data stored in the memory medium. These features, among others, are not taught by the cited art.

Claim 39 is submitted to be patentable for at least the same reasons discussed above with respect to Claim 29.

Accordingly, reconsideration and withdrawal of the rejections applied to Claims 29-34 and 39 is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 347-8100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

John D. Malpass
Attorney for Applicants

Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
277 Park Avenue
New York, New York 10172
Facsimile: (212) 758-2982

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